

REMARKS

Applicants have amended independent Claims 1, 19 and 22 to alternatively characterize the present invention. Specifically, Claim 1 has been amended to recite a Completely in the Canal (CIC) hearing aid body comprising, *inter alia*, “a semi-rigid shell that is shaped to conform to at least a first bend in an ear canal of a typical user.” Claim 19 has been amended to recite a hearing aid body having a shell that comprises, *inter alia*, “a semi-rigid member that is shaped to conform to at least a first bend in an ear canal of a typical user.” Similarly, Claim 22 has been amended to recite a hearing aid body comprising, *inter alia*, a “shell being shaped to conform to at least a first bend in an ear canal of a typical user.”

Support for these amendments can be found in the present application at, for example, page 8, lines 6-8, and in Figs. 1, 2, and 9A-9J. No new matter has been added.

In the Office Action dated December 16, 2003, the Examiner rejected all claims under 35 U.S.C. §102 as being anticipated by U.S. Patent No. 6,532,295 to Brimhall *et al.* (“Brimhall ‘295”). Inasmuch as the Brimhall ‘295 patent lists a filing date of December 10, 1999, and the present claims have an effective filing date of July 23, 1999 by virtue of a priority claim to U.S. Provisional Application 60/145,410 filed on that date, it is respectfully submitted that the Brimhall ‘295 patent is not prior art against these claims. Since the cited Brimhall ‘295 patent is not prior art against the present claims, the §102 rejections should all be withdrawn. Moreover, since the prior art of record fails to teach or suggest the hearing aid bodies of the present claims, it is submitted that all claims should be allowed.

Information Disclosure Statement

An Information Disclosure Statement (IDS) is being filed concurrently herewith. Entry of the IDS is respectfully requested.

CONCLUSION

In view of the above amendments and remarks, it is believed that all claims are in condition for allowance, and it is respectfully requested that the application be passed to issue. If the Examiner feels that a telephone conference would expedite prosecution of this case, the Examiner is invited to call the undersigned.

Respectfully submitted,

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